

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOHAMED K. MANSARAY,

Plaintiff,

v.

KROUS SECURITY SERVICE AND
ROBINSON, *Security Director*,

Defendants.

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 8-3-20**

20-CV-1415 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

Plaintiff, proceeding *pro se* and *in forma pauperis*, filed this action on February 18, 2020. On July 2, 2020, Defendants filed a motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Dkt. 12. No later than August 7, 2020, Defendants shall file proof of service on the docket, indicating that they served their motion on Plaintiff.

Although Defendants filed their motion to dismiss on July 2, 2020, the Court has not yet received any response from Plaintiff. No later than August 24, 2020, Plaintiff shall file either a response to Defendants' motion or a letter indicating that he does not intend to file a response. If Plaintiff informs the Court that he intends to pursue this action but chooses not to oppose Defendants motion, the Court will deem the motion fully briefed and take it under submission. *See McCall v. Pataki*, 232 F.3d 321, 322-23 (2d Cir. 2000) (“[A]lthough a party is of course to be given a reasonable opportunity to respond to an opponent’s motion, the sufficiency of a complaint is a matter of law that the court is capable of determining based on its own reading of the pleading and knowledge of the law.”). If, however, Plaintiff does not respond to this Order—either by responding to the motion to dismiss or by submitting a letter indicating that he does not intend to

respond—and does not request an extension to do so by August 24, 2020, the Court may dismiss this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

Defendants shall provide a copy of this Order to Plaintiff.

SO ORDERED.

Dated: August 3, 2020
New York, New York



RONNIE ABRAMS
United States District Judge